

30:40-7f

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LAWS OF: 1994 CHAPTER: 60

BILL NO: A1842

SPONSOR(S): Frelinghuysen and Malone

DATE INTRODUCED: May 23, 1994

COMMITTEE: ASSEMBLY: Appropriations
SENATE: Budget

AMENDED DURING PASSAGE: Yes Amendments during passage
First reprint enacted denoted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: June 16, 1994
SENATE: June 27, 1994

DATE OF APPROVAL: June 29, 1994

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

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[FIRST REPRINT]
ASSEMBLY, No. 1842
STATE OF NEW JERSEY

INTRODUCED MAY 23, 1994

By Assemblymen FRELINGHUYSEN and MALONE

1 AN ACT establishing and increasing certain fees imposed by and
2 on behalf of the State and providing for the use of certain fees,
3 amending and supplementing various parts of the statutory law.
4

5 BE IT ENACTED *by the Senate and General Assembly of the*
6 *State of New Jersey:*

7 1. (New section) Notwithstanding the provisions of the "New
8 Jersey Medical Assistance and Health Services Act," P.L.1968,
9 c.413 (C.30:4D-1 et seq.) or any other law to the contrary, an
10 intermediary vendor under contract with the Division of Medical
11 Assistance and Health Services' fiscal agent, which vendor has
12 direct access to the Medical Assistance Eligibility System, shall
13 be charged an access fee by the fiscal agent. The Commissioner
14 of Human Services shall, pursuant to the "Administrative
15 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) adopt
16 regulations establishing the access fee.

17 Receipts from access fees in excess of development and
18 operational costs incurred by the division's fiscal agent shall be
19 appropriated annually to the division.

20 2. N.J.S.14A:15-2 is amended to read as follows:

21 14A:15-2. On filing any certificate or other papers relative to
22 corporations in the office of the Secretary of State, there shall
23 be paid to the Secretary of State, filing fees as follows:

- 24 (1) Certificate of incorporation and amendments thereto:
25 (a) for filing the original certificate of
26 incorporation..... \$100.00
27 (b) for filing a certificate of amendment of the
28 certificate of incorporation, including any
29 number of amendments..... 50.00
30 (c) for filing a certificate of abandonment of one or
31 more amendments of the certificate of
32 incorporation..... 50.00
33 (d) for filing a certificate of merger or a
34 certificate of consolidation..... 50.00
35 (e) for filing a certificate of abandonment of a
36 merger or consolidation 50.00
37 (2) Restated certificate of incorporation:
38 for filing a restated certificate of incorporation,
39 including any amendments of the certificate of
40 incorporation concurrently adopted..... 50.00
41 (3) Dissolution of corporation:
42 (a) for filing a certificate of
43 dissolution..... 50.00

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted June 9, 1994.

- 1 (b) for filing a certificate of revocation of
- 2 dissolution proceedings..... 50.00
- 3 (4) Admission and withdrawal of foreign corporation:
- 4 (a) for filing an application for a certificate
- 5 of authority to transact business in this State
- 6 and issuing a certificate of authority..... 100.00
- 7 (b) for filing an application for an amended
- 8 certificate of authority to transact business in
- 9 this State and issuing an amended certificate of
- 10 authority..... 50.00
- 11 (c) for filing an application for withdrawal from this
- 12 State and issuing a certificate of
- 13 withdrawal..... 50.00
- 14 (d) for filing a certificate of change of post-office
- 15 address to which process may be mailed by the
- 16 Secretary of State..... 25.00
- 17 (e) for filing a certificate, order or decree with
- 18 respect to the dissolution of a foreign corporation,
- 19 the termination of its existence, or the cancellation
- 20 of its authority, and issuing a certificate of
- 21 withdrawal..... 50.00
- 22 (5) Registered office and registered agent:
- 23 (a) for filing a certificate of change of address of
- 24 registered office, or change of registered agent,
- 25 or both..... 10.00
- 26 (b) (i) for filing a certificate of change of address
- 27 of registered agent, where such certificate effects a
- 28 change in the address of the registered office of one
- 29 to 499 corporations or of 500 or more corporations in
- 30 cases where the filing information is not transmitted
- 31 to the Secretary of State in a machine readable format
- 32 agreeable to the Division of Commercial Recording, for
- 33 each corporation named in the certificate..... 10.00
- 34 (ii) for filing a certificate of change of address of
- 35 registered agent, where such certificate effects a
- 36 change in the address of the registered office of 500
- 37 or more corporations in cases where the filing
- 38 information is transmitted to the Secretary of State
- 39 in a machine readable format agreeable to the Division
- 40 of Commercial Recording..... 5,000.00
- 41 (iii) In addition to the fee imposed pursuant to
- 42 subparagraph (ii) of this paragraph, the Secretary
- 43 of State may assess an additional fee not to exceed
- 44 those administrative costs associated with the
- 45 technical transmission of the filing information.
- 46 (c) for filing an affidavit of resignation of a
- 47 registered agent..... 10.00
- 48 (6) Annual report:
- 49 for each such report required to be
- 50 filed..... [20.00] 40.00
- 51 (7) Tax clearance certificate from the Director of
- 52 the Division of Taxation: for each such certificate
- 53 required to be filed..... 20.00
- 54 (cf: P.L.1991, c.247, s.1)

1 3. Section 65 of P.L.1983, c.489 (C.42:2A-68) is amended to
2 read as follows:

3 65. Filing fees of the Secretary of State. On filing any
4 certificate or other papers relative to limited partnerships in the
5 office of the Secretary of State, there shall be paid to the
6 Secretary of State, filing fees, in addition to any applicable
7 recording fees:

8 a. Filing an application to reserve
9 a specified limited partnership name and
10 issuing a certificate of reservation \$50.00
11 If application is for the first name available
12 for limited partnership use among not more
13 than three specified names \$50.00

14 b. Filing a notice of transfer of a
15 reserved limited partnership name \$50.00

16 c. Filing original certificate of limited
17 partnership \$100.00

18 d. Filing a certificate of amendment to the
19 certificate of limited partnership, including
20 any number of amendments \$50.00

21 e. Filing certificate of cancellation..... \$50.00

22 f. Filing order or judgment amending
23 certificate of limited partnership or
24 cancellation \$50.00

25 g. Filing application by a foreign limited
26 partnership to transact business in this State
27 and issuing a certificate of authority \$100.00

28 h. Filing application by a foreign limited
29 partnership for amended certificate to
30 transact business in this State and issuing
31 an amended certificate of authority \$50.00

32 i. Filing annual report [\$20.00] \$40.00

33 j. Filing a certificate or registration
34 of an alternate name \$50.00

35 k. Filing a renewal of registration of
36 alternate name \$50.00

37 l. Limited partnership status reports--per
38 name \$5.00

39 m. Filing a change of agent or office,
40 or both. \$10.00

41 n. All other certificates issued or papers filed
42 but not otherwise provided for \$15.00

43 o. Issuing a standing certificate \$25.00

44 p. Issuing a certificate or providing name
45 availability up to three names \$25.00

46 q. Filing a certificate of correction \$50.00

47 (cf: P.L.1988, c.130, s.37)

48 4. Section 2 of P.L.1985, c.69 (C.53:1-20.6) is amended to read
49 as follows:

50 2. a. The Superintendent of State Police, with the approval of
51 the Attorney General, shall, pursuant to the "Administrative
52 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules
53 and regulations [which establish and implement a fee for]
54 authorizing the [processing] dissemination, by the State Bureau of

1 Identification, of criminal history record background [checks
2 submitted] information requested by State, county and local
3 government agencies, including the Division of State Police, in
4 noncriminal matters, or requested by individuals,
5 nongovernmental entities or other governmental entities whose
6 access to such criminal history record background information is
7 not prohibited by law. A fee not to exceed ~~[\$12.00]~~ \$25 shall be
8 imposed [and used exclusively] for [the purpose of] processing
9 fingerprint identification checks; a fee not to exceed ~~[\$8.00]~~ \$15
10 shall be imposed [and used exclusively] for [the purpose of]
11 processing criminal history name search identification checks.
12 These fees shall be in addition to any other fees required by law.
13 In addition to any fee specified herein, a nonrefundable fee, the
14 amount of which shall be determined by the Superintendent of
15 State Police, with the approval of the Attorney General, shall be
16 collected [for each applicant] to cover the cost of securing and
17 processing a federal criminal records check for each applicant.

18 b. State, county and local government agencies, including the
19 Division of State Police, and nongovernmental entities are
20 authorized to impose and collect the processing fee established
21 pursuant to subsection a. of this section from the person for
22 whom the criminal history record background check is being
23 processed or from the party requesting the criminal history
24 record background check. The Superintendent of State Police
25 shall provide this processing service without the collection of
26 fees from the applicants in processing background checks of
27 prospective foster parents or members of their immediate
28 families. In such cases, the Department of Human Services shall
29 be responsible for paying the fees imposed pursuant to subsection
30 a. of this section. Nothing in this section shall prohibit the
31 Superintendent of State Police, with the approval of the Attorney
32 General, from providing this processing service without the
33 collection of fees from the applicant in other circumstances
34 which in his sole discretion he deems appropriate, if the
35 applicants would not receive a wage or salary for the time and
36 services they provide to an organization or who are considered
37 volunteers. In those circumstances where the Superintendent of
38 State Police, with the approval of the Attorney General,
39 determines to provide this processing service without the
40 collection of fees to the individual applicants, the superintendent
41 may assess the fees for providing this service on behalf of the
42 applicants to any department of State, county or municipal
43 government which is responsible for operating or overseeing that
44 volunteer program. The agencies shall transfer all moneys
45 collected for the processing fee to the Division of State Police.
46 (cf: P.L.1985, c.69, s.2)

47 5. Section 3 of P.L.1985, c.69 (C.53:1-20.7) is amended to read
48 as follows:

49 3. a. There is created in the Division of State Police in the
50 Department of Law and Public Safety a separate special account
51 to be known as the "Criminal History Record Information Fund."
52 All moneys paid to the Division of State Police pursuant to
53 section 2 of this act shall be deposited in the fund.

54 b. Moneys in the "Criminal History Record Information Fund"

1 shall be [dedicated exclusively] used for the expenses of the State
2 Bureau of Identification [in] and for the expenses of the
3 Department of Law and Public Safety related to processing
4 criminal history record background checks submitted in
5 noncriminal matters and, subject to the approval of the Director
6 of the Division of Budget and Accounting, in the Department of
7 the Treasury, for the purchase and equipping of new or
8 replacement State Police vehicles. ¹Any State Police vehicles
9 purchased with funds from the "Criminal History Record
10 Information Fund" pursuant to this section shall be utilized solely
11 for patrol and pursuit purposes by state troopers, and shall not be
12 assigned to any State Police employee for personal or
13 administrative use.¹

14 (cf: P.L.1985, c.69, s.3)

15 6. (New section) a. All weighing and measuring devices
16 located within the State and operated or used for commercial
17 purposes shall be registered with the State superintendent.

18 b. An applicant for registration shall submit an application on
19 a form provided by the State superintendent and pay the
20 appropriate registration ¹and inspection¹ fee established pursuant
21 to section 7 of P.L. , c. (C.)(now pending before the
22 Legislature as this bill) to the State superintendent.

23 c. A weighing and measuring device registration shall expire
24 one year from the effective date of the registration.

25 d. A registration may be renewed annually for an additional
26 one year term upon submission of a properly completed renewal
27 application on a form provided by the State superintendent and
28 payment of the registration fee established pursuant to section 7
29 of P.L. , c. (C.)(now pending before the Legislature as this
30 bill).

31 e. A registration seal shall be issued by the State
32 superintendent for each weighing and measuring device registered
33 in the State and shall be affixed to the instrument or device.

34 f. Notification shall be provided to the State superintendent if
35 a weighing and measuring device, located within this State, is
36 sold, transferred or moved to a new location.

37 7. (New section) a. The State superintendent shall establish a
38 fee schedule, including the imposition of late charges when
39 appropriate, pursuant to the "Administrative Procedure Act,"
40 P.L.1968, c.410 (C.52:14B-1 et seq.), for the regulation of
41 weighing and measuring devices under Title 51 of the Revised
42 Statutes ¹for which fees are not otherwise established by law¹.

43 b. The fees established under subsection a. of this section shall
44 be sufficient to fully defray the cost of regulating weighing and
45 measuring devices pursuant to Title 51 of the Revised Statutes
46 ¹provided however, the fee charged for scales which measure
47 weights of less than 1,000 pounds shall not exceed \$25 per scale
48 and the fee charged for fuel pump dispensers shall not exceed \$25
49 per hose, or \$200 per commercial location using the scale or
50 dispenser, whichever is less, and provided further, the fee
51 charged for retail vehicle tank meters shall not exceed \$50 per
52 meter¹.

53 c. The fees established under subsection a. of this section shall
54 be deposited into the "Weights and Measures Fund" created

1 pursuant to section 8 of P.L. , c. (C.)(now pending before
2 the Legislature as this bill) for the purpose of fully defraying the
3 cost of regulating weighing and measuring devices pursuant to
4 Title 51 of the Revised Statutes.

5 8. (New section) a. There is established the "Weights and
6 Measures Fund" as a non-lapsing revolving fund in the
7 Department of Law and Public Safety into which shall be
8 deposited all fees and penalties collected by the State
9 superintendent under Title 51 of the Revised Statutes.

10 b. The fund shall be administered by the State superintendent
11 and shall be used to pay all expenses incurred by the State
12 superintendent in connection with the regulation of weighing and
13 measuring devices pursuant to Title 51 of the Revised Statutes.

14 c. All counties and municipalities which have established
15 departments of weights and measures pursuant to R.S.51:1-42 et
16 seq. shall be eligible to receive reimbursement from the fund
17 established under this section for an amount certified by the
18 State superintendent to be sufficient to defray all or part of the
19 costs incurred in connection with the regulation of weighing and
20 measuring devices pursuant to Title 51 of the Revised Statutes.
21 Reimbursement shall be for an amount of up to the full cost
22 incurred by the county or municipal department.

23 9. R.S.51:1-72 is amended to read as follows:

24 51:1-72. The State superintendent shall within 30 days after
25 the last day of the State fiscal year make a report to the
26 Legislature which shall contain any recommendations or
27 suggestions deemed necessary or desirable and a digest of the
28 reports of the municipal and county superintendents.

29 [The State Treasurer shall determine annually, following the
30 close of the State fiscal year, the total amount of moneys
31 collected under the provisions of this Title in each county and
32 each municipality in which there has been established a municipal
33 department of weights and measures pursuant to R.S.51:1-42 et
34 seq. and shall pay to the fiscal officer of each such county or
35 municipality the portion of such total amount of moneys as is
36 required to be returned to counties and municipalities by the
37 provisions of this Title, provided that the total amount to be
38 returned to a particular county or municipality is \$10.00 or
39 more. Such counties and municipalities shall appropriate the
40 amount so received for the sole and exclusive use of their
41 respective departments of weights and measures.]

42 (cf: P.L.1971, c.341, s.3)

43 10. R.S.51:1-74 is amended to read as follows:

44 51:1-74. All public weighmasters and certified weighers shall
45 be appointed by the State Superintendent of Weights and
46 Measures for the term of [3] three years. The [said] State
47 superintendent shall issue a certificate of such appointment and
48 shall keep a record thereof. Upon appointment or any renewal
49 thereof a fee [of \$30.00] ¹established by the State
50 superintendent pursuant to section 7 of P.L. , c. (C.) (now
51 pending before the Legislature as this bill)] of \$150¹ shall be paid
52 to the [said] State superintendent and by him paid to the State
53 Treasurer for deposit into the "Weights and Measures Fund"
54 created pursuant to section 8 of P.L. , c. (C.) (now pending

1 before the Legislature as this bill).

2 The State superintendent may on request of a State officer,
3 commission, board, institution or agency of the State Government
4 and without payment of any fee designate and appoint an officer
5 or employee of any such officer, commission, board, institution or
6 agency as weighmaster and issue to him a weighmaster's
7 certificate.

8 (cf: P.L.1971, c.341, s.4)

9 11. R.S.51:1-84 is amended to read as follows:

10 51:1-84. a. All weights and measures used in trade shall be
11 tested and sealed at least once in each year. Any superintendent
12 shall also upon the request of any citizen, corporation, firm or
13 other interested party cause a test to be made of any weight or
14 measure. If it be found correct or be made correct the
15 superintendent or assistant superintendent shall properly seal it.
16 He shall cause it to conform as nearly as possible to the standard
17 before sealing. If it shall not be found correct, or it shall not be
18 possible to make it correct, it shall not be used, but shall be
19 disposed of as hereinafter provided in this article.

20 b. The State superintendent shall charge and collect a fee for
21 the testing of a weight or measure. Such fee shall be established
22 pursuant to section 7 of P.L. , c. (C.) (now pending before
23 the Legislature as this bill).

24 12. Section 16 of P.L.1938, c.182 (C.51:1-128) is amended to
25 read as follows:

26 16. Every person who maintains or carries on the business of
27 selling, trading in, receiving, or engaging in the repairing of
28 condemned, rebuilt, or used weighing and measuring devices[,]
29 shall [for the license and registration prescribed by this act,] pay
30 a license fee [of \$50.00 per annum] ¹[established by the State
31 superintendent pursuant to section 7 of P.L. , c. (C.) (now
32 pending before the Legislature as this bill)] of \$150 per annum¹.
33 Every person engaging only in the repairing of weighing and
34 measuring devices shall [for the license and registration
35 prescribed in this act] pay a fee [of \$10.00 per annum,]
36 ¹[established by the State superintendent pursuant to section 7 of
37 P.L. , c. (C.) (now pending before the Legislature as this bill)]
38 of \$20 per annum.¹ [which] These fees shall be paid to the State
39 Superintendent of Weights and Measures, and by this officer shall
40 be turned over to the State Treasurer for deposit into the
41 "Weights and Measures Fund" created pursuant to section 8 of
42 P.L. , c. (C.) (now pending before the Legislature as this bill).

43 (cf: P.L.1971, c.341, s.5)

44 13. Section 4 of P.L.1968, c.222 (C.51:4-26) is amended to
45 read as follows:

46 4. Applications for a license shall be made upon forms
47 prescribed and furnished by the superintendent and shall list the
48 places of business of the dealer. The fee for a dealer's license
49 shall be [\$50.00] ¹[established by the State superintendent
50 pursuant to section 7 of P.L. , c. (C.) (now pending before the
51 Legislature as this bill)] \$100¹. Such license shall expire one year
52 after date of issuance.

53 (cf: P.L.1968, c.222, s.4)

54 14. Section 23 of P.L.1975, c.180 (C.39:3-10a) is amended to

1 read as follows:

2 23. The Director of Motor Vehicles [may] shall charge a fee of
3 [\$30.00] \$50 for the restoration of any license which has been
4 suspended or revoked by reason of the licensee's violation of any
5 [of the provisions of Title 39] law or [any] regulation [adopted
6 pursuant thereto] and for the restoration of vehicle registrations
7 that have been suspended pursuant to any law ¹[or regulation]¹.
8 The director may promulgate such regulations hereunder as he
9 may deem necessary.

10 (cf: P.L.1982, c.53, s.1)

11 15. Section 2 of P.L.1979, c.261 (C.39:3-10g) is amended to
12 read as follows:

13 2. The director is authorized, empowered and directed to
14 promulgate rules and regulations governing the size, type and
15 other essential characteristics of the color photograph and its
16 affixation to the driver's license. The fee for such photograph
17 shall be [fixed by the director based upon the actual cost incurred
18 by the Division of Motor Vehicles in the implementation and
19 administration of this act, but shall not exceed \$1.50] \$2 for each
20 license or renewal thereof, or amended license and shall be in
21 addition to the fee presently authorized for the issuance of a
22 driver's license pursuant to R.S.39:3-10.

23 (cf: P.L.1979, c.261, s.2)

24 16. R.S.39:3-24 is amended to read as follows:

25 39:3-24. (a) The director shall register farm tractors and
26 traction equipment used for farm operation to travel upon the
27 public highways. The fee for such registration shall be [\$4.00] \$5
28 per annum, whether the registration is issued for the yearly
29 period or only a portion thereof. Such traction equipment or
30 farm tractors may draw farm machinery and implements while in
31 transit from one farm to another without additional registration
32 therefor.

33 (b) The director may register motor vehicles, not for hire, used
34 exclusively as farm machinery or farm implements, to travel
35 upon the public highways, from one farm, or portion thereof, to
36 another farm, or portion thereof, both owned or managed by the
37 registered owner of the vehicle or vehicles. The fee for such
38 registration shall be [\$2.00] \$5 per annum, whether the
39 registration is issued for a yearly period or only a portion thereof.
40 Any vehicle so registered and any truck registered pursuant to
41 the provisions of 39:3-25 of this Title may draw not more than
42 one vehicle used exclusively on the farm and a vehicle so drawn
43 need not be registered.

44 (c) No vehicle registered pursuant to this section shall be
45 operated on a public highway at any time from sunset to sunrise.
46 Every such vehicle when operated on a public highway shall have
47 means adequate to control the movement of and to stop and hold
48 such vehicle on any up or down grade and shall be operated in
49 accordance with uniform rules and regulations prescribed by the
50 Director of the Division of Motor Vehicles. Such rules and
51 regulations shall specify the coverings that may be used on the
52 wheels of such vehicles, the days, hours and conditions under
53 which such vehicles can be operated, the circumstance under
54 which escort vehicles shall be required, the distance that may be

1 traveled upon the public highways and such vehicle equipment or
2 other requirements or restrictions as may be necessary to protect
3 the safety of the users of the public highways.

4 (cf: P.L.1968, c.130, s.8)

5 17. R.S.39:3-28 is amended to read as follows:

6 39:3-28. The director shall cause all applications for
7 registration and drivers' licenses to be alphabetically indexed,
8 and any original application or copy thereof, whether made by
9 photography, micrograph or otherwise, certified to be a true copy
10 under the hand of the director shall be received as evidence in
11 any court to prove the facts contained therein. For each
12 uncertified copy so issued the director shall collect a fee of \$8
13 and for each certified copy so issued the director shall collect a
14 fee of [~~\$5.00~~] \$10.

15 The director may destroy all records of registration
16 certificates or drivers' licenses and their alphabetical indices
17 when such registrations or drivers' licenses applicable thereto
18 have expired, after having made copies of such records by means
19 of photography, micrograph or otherwise. Such copies made by
20 photography, micrograph or otherwise may be destroyed when
21 they have been on file in the office of the director for a period of
22 3 years, or more.

23 (cf: P.L.1975, c.180, s.8)

24 18. R.S.39:3-31 is amended to read as follows:

25 39:3-31. The [~~commissioner~~] director, upon presentation of a
26 statement duly sworn to, stating that the original registration
27 certificate[,] or original motorized bicycle registration
28 certificate [or driver's license] has been destroyed, lost or stolen,
29 may, if he is satisfied that the facts as set forth in the statement
30 are substantially true, issue a duplicate or amended registration
31 certificate[,] or motorized bicycle registration certificate[, or
32 driver's license] to the original holder thereof, upon the payment
33 to the [~~commissioner~~] director of a fee of [~~\$3.00~~] \$5 for each
34 duplicate or amended registration certificate[,] or motorized
35 bicycle registration certificate[, or driver's license] so issued.

36 The director, upon presentation of a statement, duly sworn to,
37 stating that the original driver's license has been destroyed, lost
38 or stolen, may, if he is satisfied that the facts as set forth in the
39 statement are substantially true, issue a duplicate driver's
40 license to the original holder thereof, upon payment to the
41 director of a fee of \$3 for each duplicate driver's license so
42 issued.

43 (cf: P.L.1983, c.105, s.2)

44 19. Section 1 of P.L.1961, c.77 (C.39:3-31.1) is amended to
45 read as follows:

46 1. The Director of the Division of Motor Vehicles, upon
47 presentation of a statement by the holder of an original
48 registration certificate that he requires a duplicate registration
49 certificate for use by members of his family, shall issue a
50 duplicate original registration certificate to the holder of the
51 original registration certificate upon the payment to the director
52 of a fee of [~~\$3.00~~] \$5.

53 Any such duplicate original registration certificate may be
54 used in the same manner and for the same purpose as the original

1 registration certificate but may be used only by the holder of the
2 original registration certificate or a member of his family. Any
3 reference to the original registration certificate in the chapter to
4 which this act is supplementary or in Title 39 of the Revised
5 Statutes as amended and supplemented shall be deemed to include
6 any and all duplicate original registration certificates issued
7 pursuant to this act and, in the event that the holder of the
8 original registration certificate shall be required to surrender the
9 same by virtue of the provisions of any law, he shall also be
10 required to surrender the duplicate original registration
11 certificate if he shall have had such duplicate original
12 registration certificate issued to him. The said director shall
13 make and promulgate such rules and regulations as may be
14 necessary to effectuate the purposes of this act.

15 This section shall also apply to registration certificates for
16 motorized bicycles.

17 (cf: P.L.1983, c.105, s.6)

18 20. R.S.39:3-32 is amended to read as follows:

19 39:3-32. If [1] one or both license plates or [1] one or both
20 inserts are lost, destroyed, or so defaced that the numbers
21 thereon are illegible, the owner of the motor vehicle for which
22 the same were issued shall apply to the director or his
23 representative for new plates or inserts within 24 hours of the
24 discovery of such loss, destruction, or defacement. The
25 application shall be made upon a form furnished by the division,
26 on which the loss, defacement or destruction of the plate or
27 plates, insert or inserts shall be set forth. The application,
28 except as hereinafter provided, shall be accompanied by a fee
29 fixed by the director, the amount of which fee shall equal, as
30 nearly as possible, the cost to the division of replacing the plates
31 or inserts. Thereupon the division may cancel the original
32 registration and shall issue to the applicant new plates or new
33 inserts, as the case may be, and a new registration certificate, if
34 necessary.

35 [No fee shall be paid for the first replacement by reason of
36 defacement of a license plate or plates issued prior to the
37 effective date of this amendatory act, and every such] Every
38 replacement by reason of defacement shall be by a license plate
39 or plates of the same identifying characters as those on the plate
40 or plates replaced.

41 When a person has surrendered license plates to the director
42 pursuant to any law or regulation, the director may charge a fee
43 under this section for the reissuance of the plates surrendered or
44 the issuance of new plates, as determined by the director, in an
45 amount set by regulation but equal, as nearly as possible, to the
46 cost incurred by the division in reissuing or replacing the plates.

47 (cf: P.L.1956, c.137, s.1)

48 21. Section 2 of P.L.1959, c.56 (C.39:3-33.4) is amended to
49 read as follows:

50 2. The director is authorized to charge an additional fee for
51 the issuance of such particular identifying mark in such amount
52 as he may fix from time to time but not in excess of ~~[\$15.00]~~ \$30
53 for identifying marks defined by the director to be courtesy
54 marks, and not in excess of ~~[\$50.00]~~ \$100 for identifying marks

1 defined by the director to be personalized marks, and the amount
2 of such fee shall accompany the application.

3 (cf: P.L.1975, c.180, s.9)

4 22. Section 3 of P.L.1973, c.307 (C.39:3C-3) is amended to
5 read as follows:

6 3. Except as otherwise provided, no snowmobile or all-terrain
7 vehicle shall be operated or permitted to be operated on or across
8 a public highway or on public lands or waters of this State unless
9 registered by the owner thereof as provided by this act. The
10 Director of the Division of Motor Vehicles in the Department of
11 Law and Public Safety is authorized to register and assign a
12 registration number to snowmobiles and all-terrain vehicles, upon
13 application and payment of the appropriate fee in accordance
14 with the following schedule:

15 a. For each individual resident snowmobile registration, \$5.00,
16 and for each individual resident all-terrain vehicle registration,
17 \$10.00, annually;

18 b. For each individual nonresident snowmobile registration,
19 \$7.00, and for each individual nonresident all-terrain vehicle
20 registration, \$12.00, annually;

21 c. For replacement of a lost, mutilated or destroyed
22 certificate, [~~\$3.00~~] \$5;

23 d. For a duplicate registration, [~~\$1.00~~] \$5 at the time of
24 issuance.

25 e. For an amended registration, \$5.

26 All such registrations shall be issued on or after September 1 in
27 any year and shall be valid through September 30 of the following
28 year, except that the director may suspend or revoke such
29 registration for any violations of this act or of the rules
30 promulgated hereunder.

31 (cf: P.L.1991, c.322, s.1)

32 23. Section 10 of P.L.1983, c.105 (C.39:4-14.3j) is amended to
33 read as follows:

34 10. At the time of original sale of a motorized bicycle in this
35 State, a motorized bicycle dealer shall complete a form, of a kind
36 to be approved by the director, which shall contain the following
37 information:

38 a. The year of manufacture, make, model, color, and unladen
39 weight of the motorized bicycle;

40 b. The United States Department of Transportation head tag
41 serial number of the motorized bicycle;

42 c. The name, street address, and age of the purchaser of the
43 motorized bicycle;

44 d. The business name and address of the motorized bicycle
45 dealer from whom the bicycle was purchased;

46 e. The amount of New Jersey sales tax collected by the dealer;

47 f. The motorized bicycle dealer's New Jersey sales tax
48 authorization number;

49 g. Signatures of both the motorized bicycle dealer and the
50 purchaser;

51 h. The month, day and year of sale;

52 i. The name of the insurer of the motorized bicycle and the
53 policy number;

54 j. Any other information required by the director.

1 The dealer shall retain one copy of the form and present the
2 other two to the purchaser. The form shall constitute temporary
3 registration for the vehicle for a period of 20 days from the date
4 of purchase; provided, however, that the purchaser shall comply
5 with all other laws, rules and regulations regarding operation of
6 motorized bicycles.

7 The dealer shall issue the purchaser temporary license plates to
8 be displayed on the motorized bicycle until permanent
9 registration is completed and a motorized bicycle license plate is
10 issued.

11 Within 20 days the purchaser shall present one copy of the form
12 to the Division of Motor Vehicles, together with any additional
13 information which the director may require, pay the requisite fee
14 and register the motorized bicycle in the manner provided in this
15 act.

16 The fee for the initial registration of a motorized bicycle by a
17 given owner shall be \$8.00. The yearly fee for each renewal of
18 registration shall be [~~\$5.00~~] \$8.

19 (cf: P.L.1983, c.105, s.10)

20 24. Section 1 of P.L.1972, c.38 (C.39:5-30.4) is amended to
21 read as follows:

22 1. Persons attending a Division of Motor Vehicles Driver
23 Improvement Program shall pay such fee therefor not to exceed
24 [~~\$40.00~~] \$100, as prescribed in regulations promulgated by the
25 director. The driver's license of any person failing to pay the
26 prescribed fee shall be subject to suspension or revocation.

27 (cf: P.L.1982, c.53, s.9)

28 25. Section 20 of P.L.1952, c.173 (C.39:6-42) is amended to
29 read as follows:

30 20. Upon the request of any insurance company, any person
31 furnishing any financial responsibility or any surety on a bond
32 herein provided for, the director shall furnish such company
33 person or surety a certified abstract of the operating record of
34 any person subject to the provisions of this act. If there is no
35 record of his conviction of a violation of a provision of law
36 relating to the operation of motor vehicles or of an injury or
37 damage caused by him as herein provided, the director shall so
38 certify. The director shall collect [~~\$1.00~~ for each uncertified
39 abstract and] a fee of [~~\$5.00~~] \$10 for each certified or uncertified
40 abstract [of the operating record of any person subject to the
41 provisions of this act] so issued, but may, in the director's
42 discretion, establish by regulation a lesser fee of not less than \$2
43 per abstract when, due to the number of abstracts requested and
44 the division's ability to comply with the request by providing
45 computerized data rather than individual documents, the
46 processing of the request will result in lower costs per abstract to
47 the division. The director shall use the same schedule of fees
48 established above for abstracts requested by persons authorized
49 by law to receive them.

50 (cf: P.L.1975, c.180, s.12)

51 26. R.S.39:10-11 is amended to read as follows:

52 39:10-11. A. The purchaser of a motor vehicle in this State,
53 other than a dealer licensed pursuant to the provisions of
54 R.S.39:10-19, shall, within 10 working days after its purchase,

1 submit to the director evidence of the purchase. Upon
2 presentation to the director of the certificate of origin, or
3 certificate of ownership, or bill of sale issued prior to October 1,
4 1946, with proper assignment and certification of the seller, a
5 record of the transaction shall be made and filed. A certificate
6 of ownership shall be issued by the director and delivered to the
7 buyer, in case of a sale not subject to a security interest, and the
8 director shall collect a fee of [~~\$5.00~~] \$20 for the issuance and
9 filing thereof.

10 B. In the case of a sale subject to a security interest, a
11 certificate of ownership, with the name and address of the holder
12 of the encumbrance or secured party or his assignee recorded
13 thereon, shall be delivered to the holder of the encumbrance or
14 secured party or his assignee and a copy thereof shall be
15 delivered to the buyer. The director shall collect a fee of [~~\$7.00~~]
16 \$30 for his services in issuing a certificate and copy thereof, and
17 for making a record of and filing the record of the transaction,
18 pursuant to this subsection.

19 C. Except as hereinafter in this section otherwise expressly
20 provided, whenever a security interest is created in a motor
21 vehicle, other than a security interest which is required to be
22 noted on the certificate of origin or the certificate of ownership,
23 as provided in R.S.39:10-8 and R.S.39:10-9, there shall be filed
24 with the director the certificate of ownership of the motor
25 vehicle, together with a financing statement on a form prescribed
26 by the director. The director shall make and file a record of the
27 transaction and shall issue a certificate of ownership, recording
28 the name and address of the secured party or his assignee
29 thereon, and shall deliver it to the secured party or his assignee.
30 A copy of the certificate of ownership so issued shall be delivered
31 to the buyer. The director shall collect a fee of [~~\$4.00~~] \$20 for
32 his services in issuing a certificate and copy thereof and for
33 making a record of and filing the record of the transaction,
34 pursuant to this subsection.

35 D. The financing statement required to be filed pursuant to
36 subsection C. hereof shall be signed only by the buyer, shall not
37 be required to be acknowledged or proved, and shall show, in
38 addition to such matters as the director may require for the
39 proper identification of the motor vehicle affected, the date of
40 the security agreement, and the names and addresses of the
41 parties thereto. Nothing in this section 39:10-11 contained shall
42 be construed as requiring that the security agreement or a copy
43 thereof, or any proof of execution thereof other than that
44 contained in the financing statement, shall be presented to the
45 director. When the buyer is a corporation, it shall be sufficient if
46 the financing statement is signed by any officer thereof, or by
47 any agent designated by the corporation for that purpose, and it
48 shall not be necessary that the financing statement recite the
49 authorization of the agent. When there is more than one buyer, it
50 shall be sufficient if the financing statement is signed by any one
51 of them.

52 E. Nothing in subsections C. and D. of this section shall apply
53 to security interests in motor vehicles which constitute inventory
54 held for sale, but such interests shall be subject to chapter 9 of
55 Title 12A of the New Jersey Statutes, nor shall anything in the

1 said subsections apply to interests in personal property subject to
2 chapter 28 of Title 46 of the Revised Statutes.

3 F. In addition to the fees elsewhere in this section provided
4 for, there shall be paid to the director at the time a certificate
5 of ownership is issued a fee of [~~\$2.00~~] \$10 for notice of
6 satisfaction of the lien or encumbrance of the record or abstract,
7 or of the termination of the security interest, where the motor
8 vehicle is subject to a lien or encumbrance or a security interest
9 as provided in R.S.39:10-14.

10 G. Notwithstanding any other provision of this chapter, when
11 any dealer licensed under the provisions of R.S.39:10-19 is the
12 purchaser of a motor vehicle in this State, he may, within 10
13 working days after its purchase, submit to the director the
14 evidence of purchase. Upon presentation of the certificate of
15 ownership with proper assignment and certification of the seller
16 to the director, a record of the transaction shall be made and
17 filed. A certificate of ownership shall be issued by the director
18 and delivered to such purchaser, and the director shall collect a
19 fee of [~~\$2.00~~] \$10 for the issuing and filing thereof.

20 If a dealer does not submit the evidence of purchase, upon
21 resale of the motor vehicle he shall execute and attach to the
22 certificate of ownership a dealer reassignment certificate. The
23 director shall issue dealer reassignment certificates in lots upon
24 payment of a fee of [~~\$2.00~~] \$10 for each certificate.

25 H. Any purchaser of a motor vehicle who fails to comply with
26 the provisions of this section shall pay to the director a penalty
27 of [~~\$15.00~~] \$25 plus the issuing and filing fee.

28 I. The failure of any person to comply with the requirements
29 of this section shall not constitute a misdemeanor within the
30 provisions of R.S.39:10-24, any instrument creating or reserving a
31 security interest in a motor vehicle, as between the parties to
32 such instrument.

33 J. The notation of the name and business or residence address
34 of a secured party or his assignee, on the certificate of origin or
35 on the certificate of ownership, as provided in R.S.39:10-8 and
36 R.S.39:10-9, and the presentation to the director, in accordance
37 with R.S. 39:10-11, of the certificate of origin or certificate of
38 ownership so noted, and the compliance with the requirements of
39 subsections C. and D. of R.S.39:10-11 shall be in lieu of all filing
40 requirements imposed by chapter 9 of Title 12A of the New
41 Jersey Statutes and shall constitute the perfection of a security
42 interest in the motor vehicle, and the rights and remedies of the
43 debtors and the secured parties in respect to such security
44 interest shall, except as otherwise expressly provided in this
45 chapter, be subject to and governed by chapter 9 of Title 12A of
46 the New Jersey Statutes.

47 (cf: P.L.1982, c.53, s.6)

48 27. R.S.39:10-12 is amended to read as follows:

49 39:10-12. If certificate of ownership, or title papers, are lost,
50 the director may, upon proof of certification or otherwise in the
51 manner required by him and if satisfied of the bona fides of the
52 application, prepare a certificate of ownership, certify it and
53 authorize its use in place of the original, with the same effect as
54 the original. The director shall collect a fee of [~~\$4.00~~] \$25 for

1 this duplicate certificate.

2 A person who falsely states, in any application to the director
3 for a duplicate certificate of ownership, that a certificate of
4 ownership, or title papers, are lost, shall be subject to a fine of
5 not less than \$200.00 nor more than \$500.00 or imprisonment for
6 a term not exceeding 30 days or both.

7 (cf: P.L.1975, c.180, s.16)

8 28. R.S.39:10-16 is amended to read as follows:

9 39:10-16. If the title papers or certificate of ownership are
10 defective or improper, or if the motor vehicle was purchased and
11 its sale consummated in another state or country, in accordance
12 with the laws of such state or country regulating the sale of
13 motor vehicles, and not made for the purpose of evading the
14 provisions of this chapter, the bona fide owner of the motor
15 vehicle may apply to the director to correct the defects, or
16 permit the title papers to be received.

17 The director shall, upon such proof as he requires showing that
18 it is just and equitable that the defects be corrected or that the
19 title papers or certificate of ownership be received, with or
20 without hearing, determine the truth and merits of the
21 application and whether the holder appears to be the bona fide
22 owner of the motor vehicle, and may issue his certificate
23 correcting the defects or permitting the title papers or
24 certificate of ownership to be so recorded and filed. The person
25 submitting the papers shall pay to the director a fee of ~~[\$10.00]~~
26 \$20 for the issuing and filing of the certificate.

27 Before issuing the certificate the director may, in his
28 discretion, require the person to advertise in a newspaper having
29 a general circulation in the county where he resides, for the
30 space of two weeks, at least once a week, making three insertions
31 in all, a notice briefly stating that the person has applied to the
32 director to correct defects in the motor vehicle title papers or to
33 receive the title papers out of time, or, as the case may be,
34 giving a description of the motor vehicle as provided in
35 R.S.39:10-8, and that if anyone desires to be heard in opposition
36 thereto, he may do so by appearing before the director on a date
37 and at a place named, or communicating with him prior thereto.
38 He shall also serve like notice on local police, State Police and
39 any other person or agency, as prescribed by the director,
40 personally or by registered mail. Proofs of the publication and
41 service shall be submitted to the director. The director or his
42 agent may have the notice advertised or served at the cost and
43 expense of that person.

44 (cf: P.L.1983, c.403, s.31)

45 29. Section 2 of P.L.1951, c.216 (C.39:12-2) is amended to
46 read as follows:

47 2. No person shall engage in the business of conducting a
48 drivers' school without being licensed therefor by the Director of
49 Motor Vehicles. Application therefor shall be in writing and
50 contain such information therein as he shall require. If the
51 application is approved, the applicant shall be granted a license
52 upon the payment of a fee of \$250.00; provided, however, no
53 license fee shall be charged for the issuance of a license to any
54 board of education, school board, public, private or parochial

1 school, which conducts a course in driver education, approved by
2 the State Department of Education. A license so issued shall be
3 valid during the calendar year. The annual fee for renewal shall
4 be [~~\$100.00~~] \$200. The director shall issue a license certificate
5 or license certificates to each licensee, one of which shall be
6 displayed in each place of business of the licensee.

7 In case of the loss, mutilation or destruction of a certificate,
8 the director shall issue a duplicate upon proof of the facts and
9 the payment of a fee of [~~\$3.00~~] \$5.

10 (cf: P.L.1975, c.180, s.21)

11 30. Section 5 of P.L.1951, c.216 (C.39:12-5) is amended to
12 read as follows:

13 5. No person shall be employed by any such licensee to give
14 instruction in driving a motor vehicle unless he shall be licensed
15 to act as such instructor by the director. No person shall be
16 employed by such licensee to instruct a motorcycle safety
17 education course as established pursuant to section 1 of P.L.1991,
18 c.452 (C.27:5F-36) unless he has received from the director a
19 motorcycle safety education instructor endorsement to his
20 instructor's license. The director shall issue a motorcycle safety
21 education instructor endorsement to an instructor's license if the
22 person meets the requirements set forth in section 2 of P.L.1991,
23 c.452 (C.27:5F-37).

24 Application for an instructor's license or for a motorcycle
25 safety education instructor endorsement to an instructor's
26 license shall be in writing and shall contain such information as
27 the director shall require.

28 The initial fee for an instructor's license shall be \$75.00 and a
29 fee for an annual renewal thereof shall be [~~\$30.00~~] \$50. No
30 additional fee shall be charged by the director for a motorcycle
31 safety education instructor endorsement. The license so issued
32 shall be valid for the calendar year within which it is issued, and
33 renewals shall be for succeeding calendar years.

34 (cf: P.L.1991, c.452, s.8)

35 31. (New section) The Director of the Division of Motor
36 Vehicles shall collect a \$25 fee from a person who issues or
37 passes to the division a check, or similar sight order for the
38 payment of money, which is not honored by the drawee. This fee
39 shall be in addition to all other fees owed by the person to the
40 division. The amount sought to be satisfied by such dishonored
41 check, or similar sight order for the payment of money, shall not
42 be deemed paid until such amount and the fee required under this
43 section are paid. This section shall be applicable to any check or
44 similar sight order for the payment of money, made to the
45 division.

46 ¹32. R.S.39:3-20 is amended to read as follows:

47 39:3-20. Commercial motor and motor-drawn vehicles other
48 than omnibuses; registration year; fees; gross weight; definition;
49 violations; penalties

50 For the purpose of this act, gross weight means the weight of
51 the vehicle or combination of vehicles, including load or contents.

52 a. The director is authorized to issue registrations for
53 commercial motor vehicles other than omnibuses or motor-drawn
54 vehicles upon application therefor and payment of a fee based on

1 the gross weight of the vehicle, including the gross weight of all
2 vehicles in any combination of vehicles of which the commercial
3 motor vehicle is the drawing vehicle. The gross weight of a
4 disabled commercial vehicle or combination of disabled
5 commercial vehicles being removed from a highway shall not be
6 included in the calculation of the registration fee for the drawing
7 vehicle.

8 Except as otherwise provided in this subsection, every
9 registration for a commercial motor vehicle other than an
10 omnibus or motor-drawn vehicle shall expire and the certificate
11 thereof shall become void on the last day of the eleventh
12 calendar month following the month in which the certificate was
13 issued. The minimum registration fee for registrations issued
14 after July 1, 1984 shall be as follows:

15 For vehicles not in excess of 5,000 pounds, \$53.50.

16 For vehicles in excess of 5,000 pounds and not in excess of
17 18,000 pounds, \$53.50 plus \$8.50 for each 1,000 pounds or portion
18 thereof in excess of 5,000 pounds.

19 For vehicles in excess of 18,000 pounds and not in excess of
20 50,000 pounds, \$53.50 plus \$9.50 for each 1,000 pounds or portion
21 thereof in excess of 5,000 pounds.

22 For vehicles in excess of 50,000 pounds, \$53.50 plus \$10.50 for
23 each 1,000 pounds or portion thereof in excess of 5,000 pounds.

24 Commercial motor vehicles other than omnibuses or
25 motor-drawn vehicles for which commercial motor vehicle
26 registrations had been issued prior to the effective date of this
27 act and which expire March 31, 1982 shall be issued commercial
28 registrations, which, in the director's discretion, shall expire on a
29 date to be fixed by him, which date shall not be sooner than four
30 months nor later than 16 months following the date of issuance of
31 the registration. The fees for such registrations shall be fixed by
32 the director in amounts proportionately less or greater than the
33 fees established by this subsection.

34 b. The director is also authorized to issue registrations for
35 commercial motor vehicles having three or more axles and a
36 gross weight over 40,000 pounds but not exceeding 70,000 pounds,
37 upon application therefor and proof to the satisfaction of the
38 director that the applicant is actually engaged in construction
39 work or in the business of supplying material, transporting
40 material, or using such registered vehicle for construction work.

41 Except as otherwise provided in this subsection, every
42 registration for these commercial motor vehicles shall expire and
43 the certificate thereof shall become void on the last day of the
44 eleventh calendar month following the month in which the
45 certificate was issued.

46 The registration fee for registrations issued after July 1, 1984
47 shall be \$19.50 for each 1,000 pounds or portion thereof.

48 For purposes of calculating this fee, weight means the gross
49 weight, including the gross weight of all vehicles in any
50 combination of which such commercial motor vehicle is the
51 drawing vehicle. "Constructor" registrations issued prior to the
52 effective date of this act, which expire June 30, 1982, shall be
53 issued contractor vehicle registrations, which, in the director's
54 discretion, shall expire on a date to be fixed by him, which date

1 shall not be sooner than four months nor later than 16 months
2 following the date of issuance of the registration. The fees for
3 the registrations shall be fixed by the director in amounts
4 proportionately less or greater than the fees established by this
5 subsection.

6 Such commercial motor vehicle shall be operated in compliance
7 with the speed limitations of Title 39 of the Revised Statutes and
8 shall not be operated at a speed greater than 30 miles per hour
9 when one or more of its axles has a load which exceeds the
10 limitations prescribed in R.S.39:3-84.

11 c. The director is also authorized to issue registrations for
12 each of the following solid waste vehicles: two-axle vehicles
13 having a gross weight not exceeding 42,000 pounds; tandem
14 three-axle and four-axle vehicles having a gross weight not
15 exceeding 60,000 pounds; four-axle tractor-trailer combination
16 vehicles having a gross weight not exceeding 60,000 pounds.
17 Registration is based upon application to the director and proof
18 to his satisfaction that the applicant is actually engaged in the
19 performance of solid waste disposal or collection functions and
20 holds a certificate of convenience and necessity therefor issued
21 by the Board of Public Utilities.

22 Except as otherwise provided in this subsection, every
23 registration for a solid waste vehicle shall expire and the
24 certificate thereof shall become void on the last day of the
25 eleventh calendar month following the month in which the
26 certificate was issued.

27 The registration fee shall be \$50.00 plus \$8.50 for each 1,000
28 pounds or portion thereof in excess of 5,000 pounds.

29 Solid waste vehicles for which commercial motor vehicle
30 registrations had been issued prior to the effective date of this
31 act and which shall expire June 30, 1982 shall be issued solid
32 waste registrations, which, in the director's discretion, shall
33 expire on a date to be fixed by him, which date shall not be
34 sooner than four months or later than 16 months following the
35 date of issuance of the registration. The fees for the
36 registrations shall be fixed by the director in amounts
37 proportionately less or greater than the fees established by this
38 subsection.

39 d. The director is also authorized to issue registrations for
40 commercial motor-drawn vehicles upon application therefor. The
41 registration year for commercial motor-drawn vehicles shall be
42 April 1 to the following March 31 and the fee therefor shall be
43 \$18.00 for each such vehicle.

44 At the discretion of the director, an applicant for registration
45 for a commercial motor-drawn vehicle may be provided the
46 option of registering such vehicle for a period of four years. In
47 the event that the applicant for registration exercises the
48 four-year option, a fee of \$64.00 for each such vehicle shall be
49 paid to the director in advance.

50 If any commercial motor-drawn vehicle registered for a
51 four-year period is sold or withdrawn from use on the highways,
52 the director may, upon surrender of the vehicle registration and
53 plate, refund \$16.00 for each full year of unused prepaid
54 registration.

1 e. It shall be unlawful for any vehicle or combination of
2 vehicles registered under this act, having a gross weight,
3 including load or contents, in excess of the gross weight provided
4 on the registration certificate to be operated on the highways of
5 this State.

6 The owner, lessee, bailee or any one of the aforesaid of a
7 vehicle or combination of vehicles, including load or contents,
8 found or operated on any public road, street or highway or on any
9 public or quasi-public property in this State with a gross weight
10 of that vehicle or combination of vehicles, including load or
11 contents, in excess of the weight limitation permitted by the
12 certificate of registration for the vehicle or combination of
13 vehicles, pursuant to the provisions of this section, shall be
14 assessed a penalty of \$500.00 plus an amount equal to \$100.00 for
15 each 1,000 pounds or fractional portion of 1,000 pounds of weight
16 in excess of the weight limitation permitted by the certificate of
17 registration for that vehicle or combination of vehicles. A
18 vehicle or combination of vehicles for which there is no valid
19 certificate of registration is deemed to have been registered for
20 zero pounds for the purposes of the enforcement of this act, in
21 addition to any other violation of this Title, but is not deemed to
22 be lawfully or validly registered pursuant to the provisions of this
23 Title.

24 This section shall not be construed to supersede or repeal the
25 provisions of section 39:3-84, 39:4-75, or 39:4-76 of this Title.

26 f. In addition to the registration fees imposed pursuant to this
27 section, the director shall impose and collect an additional fee of
28 \$35 for every registration for a commercial motor vehicle, other
29 than an omnibus, motor-drawn vehicle or non-commercial truck
30 registered pursuant to section 2 of P.L.1968, c.439 (C.39:3-8.1),
31 having a gross weight of 10,000 pounds or more. All fees
32 collected by the director shall be forwarded to the State
33 Treasurer for deposit in a special nonlapsing fund. Monies in the
34 fund shall be used exclusively by the Department of Law and
35 Public Safety for enforcement of laws and regulations governing
36 commercial motor vehicles, except that the fees collected shall
37 be allocated first to the division to defray the costs necessary to
38 implement the provisions of this subsection.¹

39 (cf: P.L.1984, c.73, s.32)

40 ¹33. Section 5 of P.L.1950, c.142 (C.39:3-84.3) is amended to
41 read as follows:

42 5. a. [Any State Police officer is authorized to require the
43 driver, operator, owner, lessee or bailee of any vehicle or
44 combination of vehicles found on any public road, street or
45 highway or on any public or quasi-public property in this State to
46 stop and submit the vehicle or combination of vehicles, including
47 load or contents, to measurement or weighing to determine
48 whether the size or weight of the vehicle or combination of
49 vehicles, including load or contents, is in excess of that permitted
50 in this Title, by means of measuring or weighing devices or scales
51 approved and certified by the State Superintendent of Weights
52 and Measures or his agent. Copies of documents displaying the
53 seal or certification of the State Superintendent of Weights and
54 Measures shall be prima facie evidence of the reliability and

1 accuracy of the measuring or weighing devices or scales utilized
2 in the enforcement of this Title. The driver, operator, owner,
3 lessee or bailee of a vehicle or combination of vehicles, including
4 load or contents, that is to be measured or weighed may be
5 required to drive or otherwise move the vehicle or combination of
6 vehicles to a location, as directed by the officer or inspector,
7 where the vehicle or combination of vehicles, including load or
8 contents, can be measured or weighed, as described in this
9 section.]

10 Officers shall have authority as set forth in paragraphs (1)
11 through (3) of this subsection to require the driver, operator,
12 owner, lessee or bailee of any vehicle or combination of vehicles
13 found on any public road, street, or highway or any public or
14 quasi-public property in this State to facilitate and permit the
15 measurement or weighing of the vehicle or combination of
16 vehicles, including load or contents, for the purpose of
17 determining whether the size or weight of the vehicle or
18 combination of vehicles, including load or contents, is in excess
19 of that permitted in this Title:

20 (1) Officers of the Division of State Police shall have the
21 exclusive authority to conduct random roadside examinations for
22 the purpose of determining whether size or weight is in excess of
23 that permitted in this Title, and officers of the Division of State
24 Police shall have the authority, with or without probable cause to
25 believe that the size or weight is in excess of that permitted, to
26 require the driver, operator, owner, lessee or bailee, to stop,
27 drive or otherwise move to a location for measurement or
28 weighing and submit the vehicle or combination of vehicles,
29 including load or contents, to measurement or weighing;

30 (2) Police or peace officers or inspectors appointed by any
31 municipality or county shall have the authority to require the
32 driver, operator, owner, lessee or bailee to stop, drive or
33 otherwise move to a location for measurement or weighing and
34 submit the vehicle or combination of vehicles, including load or
35 contents, to measurement or weighing, only if the officer has
36 probable cause to believe that the size or weight of the vehicle or
37 combination of vehicles, including load or contents, is in excess
38 of that permitted by this Title; and

39 (3) The Division of State Police and the director shall have the
40 exclusive authority to establish and operate locations for the
41 measurement and weighing of vehicles, including load and
42 contents, and all measuring and weighing devices or scales
43 employed at such locations shall be approved and certified by the
44 State Superintendent of Weights and Measures or the State
45 Superintendent's agent. Copies of documents displaying the
46 State Superintendent's seal or certification shall be prima facie
47 evidence of the reliability and accuracy of the measuring or
48 weighing devices or scales utilized.

49 b. Whenever the officer, upon measuring or weighing a vehicle
50 or combination of vehicles, including load or contents, determines
51 that the size or weight is in excess of the limits permitted in this
52 Title, the officer or inspector shall require the driver, operator,
53 owner, lessee or bailee to stop the vehicle or combination of
54 vehicles in a suitable place and remain in that place until a

1 portion of the load or contents of the vehicle or combination of
2 vehicles is removed by the driver, operator, owner, lessee, bailee
3 or duly appointed agent thereof, as may be necessary to conform
4 or reduce the size or weight of the vehicle or combination of
5 vehicles, including load or contents, to those limits as permitted
6 under this act, or permitted by the certificate of registration for
7 the vehicle or combination of vehicles, whichever may be lower.
8 All materials so unloaded or removed shall be cared for by the
9 driver, owner, operator, lessee or bailee of the vehicle or
10 combination of vehicles, or duly appointed agent thereof, at the
11 risk, responsibility and liability of the driver, owner, operator,
12 lessee, bailee or duly appointed agent thereof.

13 c. No vehicle or combination of vehicles shall be deemed to be
14 in violation of the weight limitation provision of this act, when,
15 upon examination by the officer, the dispatch papers for the
16 vehicle or combination of vehicles, including load or contents,
17 show it is proceeding from its last preceding freight pickup point
18 within the State of New Jersey by a reasonably expeditious route
19 to the nearest available scales or to the first available scales in
20 the general direction towards which the vehicle or combination of
21 vehicles has been dispatched, or is returning from such scales
22 after weighing-in to the last preceding pickup point.

23 d. When the officer determines that a vehicle or combination
24 of vehicles, including load or contents, is in violation of the
25 weight limitations of this Title as provided at paragraph (1) of
26 subsection b. of R.S.39:3-84; paragraph (2) of subsection b. of
27 R.S.39:3-84; paragraph (3) of subsection b. of R.S.39:3-84; or
28 paragraph (5) of subsection b. of R.S.39:3-84 relative to
29 maximum gross axle weights, but is within the permissible
30 maximum gross vehicle weight of this Title as provided at
31 paragraph (4) of subsection b. of R.S.39:3-84 or paragraph (5) of
32 subsection b. of R.S.39:3-84, whichever is applicable, the driver,
33 operator, owner, lessee, bailee or duly appointed agent thereof
34 shall be permitted, before proceeding, to redistribute the weight
35 of the vehicle or combination of vehicles or the load or contents
36 of the vehicle or combination of vehicles so that no axle or
37 combination of consecutive axles are in excess of the limits set
38 by this act, in which event there is no violation.

39 e. When the officer determines that a vehicle or combination
40 of vehicles, including load or contents, is in violation of the
41 height, width or length limits of this Title as provided at
42 subsection a. of R.S.39:3-84, the driver, operator, owner, lessee
43 or bailee of the vehicle or combination of vehicles or duly
44 appointed agent thereof shall be permitted, before proceeding, to
45 adjust, reduce or conform the vehicle or combination of vehicles,
46 including load or contents, so that the vehicle or combination of
47 vehicles, including load or contents, are not in excess of the
48 height, width, or length limits set by this act, in which event
49 there is no violation.

50 f. The provisions of this subsection shall not apply to a vehicle
51 or combination of vehicles, including load or contents, found or
52 operated on any highway in this State which is part of or
53 designated as part of the National Interstate System, as provided
54 at 23 U.S.C. § 103(e). No arrest shall be made or summons issued

1 for a violation of the weight limitations provided in this act at
2 subsection b. of R.S.39:3-84 where the excess weight is no more
3 than 5% of the weight permitted, provided the gross weight of
4 the vehicle or combination of vehicles, including load or contents,
5 does not exceed the maximum gross weight of 80,000 pounds as
6 set forth at paragraph (4) of subsection b. of R.S.39:3-84.

7 g. Any person who presents to the officer, or has in his
8 possession, or who prepares false dispatch papers, that is to say,
9 dispatch papers which do not correspond to the cargo carried,
10 shall be subject to a fine not to exceed \$100.00.

11 h. Any driver of a vehicle or combination of vehicles who fails
12 or refuses to stop and submit the vehicle or combination of
13 vehicles, including load or contents, to measurement or weighing,
14 as provided in this Title, or otherwise fails to comply with the
15 provisions of this section, shall be subject to a fine not exceeding
16 \$200.00.

17 i. The owner, lessee, bailee or any one of the aforesaid of any
18 vehicle or combination of vehicles found or operated on any
19 public road, street or highway or on any public or quasi-public
20 property in this State in violation of the height, width or length
21 limits as set forth in subsection a. of R.S.39:3-84 shall be fined
22 not less than \$150.00 nor more than \$500.00.

23 j. The owner, lessee, bailee or any one of the aforesaid of any
24 vehicle or combination of vehicles found or operated on any
25 public road, street or highway or on any public or quasi-public
26 property in this State, with a gross weight of the vehicle or
27 combination of vehicles, including load or contents, in excess of
28 the weight limitations as provided at subsection b. of R.S.39:3-84
29 or section 3 of P.L.1950, c.142 (C.39:3-84.1) shall be fined an
30 amount equal to \$0.02 per pound for each pound of the total
31 excess weight; provided the total excess weight is 10,000 pounds
32 or less, or shall be fined an amount equal to \$0.03 per pound for
33 each pound of the total excess weight; provided the total excess
34 weight is more than 10,000 pounds, but in no event shall the fine
35 be less than \$50.00. However, in the case of any vehicle or
36 combination of vehicles carrying a sealed ocean container, either
37 the shipper, the consignee or both, shall be liable for a violation
38 of the weight limitations as provided at subsection b. of
39 R.S.39:3-84 relative to maximum gross axle weights.

40 k. Whenever a vehicle or combination of vehicles, including
41 load or contents, is found to be in violation of any two or more of
42 the weight limitations as provided at subsection b. of R.S.39:3-84
43 or section 3 of P.L.1950, c.142 (C.39:3-84.1), the fine levied shall
44 be only for the violation involving the greater or greatest excess
45 weight.¹

46 (cf: P.L.1993, c.12, s.2)

47 ¹34. R.S.39:5-1 is amended to read as follows:

48 39:5-1. [The] Except as otherwise provided, the enforcement
49 of this subtitle shall be vested in the director and the police or
50 peace officers of, or inspectors duly appointed for that purpose
51 by, any municipality or county or by the State. Nothing in this
52 section shall be construed to authorize police or peace officers or
53 inspectors appointed by any municipality or county to conduct
54 random roadside examinations of any vehicle.¹

55 (cf: P.L.1983, c.403, s.18)

1 ¹[32.] 35.¹ This act shall take effect immediately but sections
2 1 through ¹[31] 34¹ shall remain inoperative until July 1, 1994,
3 provided however that those officials responsible for
4 implementing the provisions of this act may take such actions
5 before July 1, 1994 as may be necessary to carry out the purposes
6 of this act.

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11 Establishes and increases fees concerning medical assistance
12 eligibility information, criminal record information, filings with
13 Secretary of State, motor vehicle documentation, and weights
14 and measures regulation and provides for the uses thereof.

1 instruction in driving a motor vehicle unless he shall be licensed
2 to act as such instructor by the director. No person shall be
3 employed by such licensee to instruct a motorcycle safety
4 education course as established pursuant to section 1 of P.L.1991,
5 c.452 (C.27:5F-36) unless he has received from the director a
6 motorcycle safety education instructor endorsement to his
7 instructor's license. The director shall issue a motorcycle safety
8 education instructor endorsement to an instructor's license if the
9 person meets the requirements set forth in section 2 of P.L.1991,
10 c.452 (C.27:5F-37).

11 Application for an instructor's license or for a motorcycle
12 safety education instructor endorsement to an instructor's
13 license shall be in writing and shall contain such information as
14 the director shall require.

15 The initial fee for an instructor's license shall be \$75.00 and a
16 fee for an annual renewal thereof shall be [~~\$30.00~~] \$50. No
17 additional fee shall be charged by the director for a motorcycle
18 safety education instructor endorsement. The license so issued
19 shall be valid for the calendar year within which it is issued, and
20 renewals shall be for succeeding calendar years.

21 (cf: P.L.1991, c.452, s.8)

22 31. (New section) The Director of the Division of Motor
23 Vehicles shall collect a \$25 fee from a person who issues or
24 passes to the division a check, or similar sight order for the
25 payment of money, which is not honored by the drawee. This fee
26 shall be in addition to all other fees owed by the person to the
27 division. The amount sought to be satisfied by such dishonored
28 check, or similar sight order for the payment of money, shall not
29 be deemed paid until such amount and the fee required under this
30 section are paid. This section shall be applicable to any check or
31 similar sight order for the payment of money, made to the
32 division.

33 32. This act shall take effect immediately but sections 1
34 through 31 shall remain inoperative until July 1, 1994, provided
35 however that those officials responsible for implementing the
36 provisions of this act may take such actions before July 1, 1994
37 as may be necessary to carry out the purposes of this act.

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STATEMENT

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42 This bill establishes and increases certain State fees by
43 amending and supplementing various provisions of statutory law.

44 Section 1 requires the Commissioner of Human Services to
45 establish a new access fee that an intermediary vendor under
46 contract with the Division of Medical Assistance and Health
47 Services' fiscal agent (Unisys) will be charged for direct access
48 to the Medical Assistance Eligibility System (MEVS). This system
49 will be developed by intermediary vendors under the direction of
50 Unisys and marketed to the Medicaid and PAAD providers.

51 Providers will use MEVS to determine a beneficiary's
52 eligibility in the Medicaid and Pharmaceutical Assistance to Aged
53 and Disabled (PAAD) programs. Use of MEVS, however, will be
54 optional; currently available methods for verifying eligibility,

1 such as paper cards and the Recipient Eligibility Verification
2 System, will still be available.

3 The division will not reimburse Unisys for the costs of this
4 project; Unisys must recover its costs by charging the MEVS
5 intermediary vendors the fee which will be established by the
6 commissioner.

7 Sections 2 and 3 increase from \$20 to \$40 the annual report
8 filing fee for domestic and foreign for-profit corporations and
9 limited partnerships. This increase may generate an additional \$4
10 million in annual revenue. The Governor's Budget
11 Recommendation for FY 1995 anticipates that \$2.9 million of this
12 increase will be deposited in the General Fund and \$1.1 million
13 used by the Department of State for continued upgrades of the
14 Division of Commercial Recording's information system.

15 Sections 4 and 5 increase the fees for criminal history record
16 checks performed by the Division of State Police in the
17 Department of Law and Public Safety. The fee for a fingerprint
18 identification check is increased from \$12 to \$25, and the fee for
19 name search identification is increased from \$8 to \$15. These
20 checks are commonly used by employers during the hiring process
21 when such checks are required by law.

22 A new use for the revenue derived from criminal record checks
23 is also established. Currently, these revenues are used for
24 expenses incurred by the State Police in performing the checks.
25 This bill permits the revenues to be used for purchasing and
26 equipping State Police vehicles.

27 Sections 6 to 13 require commercially used weighing and
28 measuring devices to be registered with the State Superintendent
29 of Weights and Measures and permits the State superintendent to
30 establish licensing fees by regulation. The current fees, some of
31 which were set by statute in 1938, do not cover the costs of
32 enforcing the weights and measures laws. By allowing these fees
33 to be set by regulation and providing that they be used to defray
34 the costs incurred by the State, county and municipal offices of
35 weights and measures for their regulatory activities, the effects
36 of inflation will not diminish this offices' consumer protection
37 function.

38 Sections 14 to 31 increase a number of fees collected by the
39 Division of Motor Vehicles (DMV) to bring them in line with the
40 cost of providing DMV services; some of these fees have not been
41 increased in 10 years or more.

42 Fees increased include those charged for driver's license
43 photographs, certified copies and duplicates of registration
44 documents and motorized bicycle registrations. Fees for driver
45 record abstracts, the driver improvement program, courtesy and
46 personalized license plates, certificates of ownership, and
47 driver's school and instructor licenses are also increased.

48 A \$50 fee for the restoration of a driver's license suspended
49 pursuant to laws other than those of Title 39 of the Revised
50 Statutes, the motor vehicle code, and for restoration of a motor
51 vehicle registration suspended under any law or regulation is
52 established. Currently, this fee is charged only for the
53 restoration of licenses suspended under Title 39.

54 A new \$5 fee for uncertified copies of license and registration

1 documents is established. The bill also authorizes DMV to
2 establish fees to defray the cost of restoring license plates or
3 issuing new ones in place of those surrendered in accordance with
4 a law. A new \$25 fee for checks returned to DMV as
5 uncollectible is also established.

6 The DMV estimates that enactment of these fees will increase
7 revenues by approximately \$60 million annually.

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12 Establishes and increases fees concerning medical assistance
13 eligibility information, criminal record information, filings with
14 Secretary of State, motor vehicle documentation, and weights
15 and measures regulation and provides for the uses thereof.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1842

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JUNE 2, 1994

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1842, with committee amendments.

Assembly Bill No. 1842 establishes and increases certain State fees by amending and supplementing various provisions of statutory law.

Section 1 requires the Commissioner of Human Services to establish a new access fee that an intermediary vendor under contract with the Division of Medical Assistance and Health Services' fiscal agent will be charged for direct access to the Medical Assistance Eligibility System (MEVS). This system will be developed by the intermediary vendors under the direction of the fiscal agent and marketed to the Medicaid and PAAD providers.

Providers may use MEVS to determine a beneficiary's eligibility in the Medicaid and Pharmaceutical Assistance to Aged and Disabled programs; other methods for verifying eligibility, such as paper cards and the Recipient Eligibility Verification System, will still be available. The costs of the project will be recovered by the fiscal agent by charging the MEVS intermediary vendors the fee which will be established by the commissioner.

Sections 2 and 3 increase from \$20 to \$40 the annual report filing fee for domestic and foreign for-profit corporations and limited partnerships. This increase may generate an additional \$4 million in annual revenue. The Governor's Budget Recommendation for FY 1995 anticipates that \$2.9 million of this increase will be deposited in the General Fund and \$1.1 million used by the Department of State for continued upgrades of the Division of Commercial Recording's information system.

Sections 4 and 5 increase the fees for criminal history record checks performed by the Division of State Police in the Department of Law and Public Safety. The fee for a fingerprint identification check is increased from \$12 to \$25, and the fee for name search identification is increased from \$8 to \$15. These checks are commonly used by employers during the hiring process when such checks are required by law.

A new use for the revenue derived from criminal record checks is also established. Currently, these revenues are used for expenses incurred by the State Police in performing the checks. This bill permits the revenues to be used for purchasing and equipping State Police vehicles. It is anticipated that \$5 million will be raised by this increase, of which \$1 million will be required for expenses and \$4 million will be available for vehicles.

Sections 6 through 13 require commercial weighing and measuring devices to be registered with the State Superintendent of Weights and Measures and permit the State superintendent to establish licensing fees by regulation. The current fees, some of

which were set by statute in 1938, do not cover the costs of enforcing the weights and measures laws. By allowing these fees to be set by regulation and providing that they be used to defray the costs incurred by the State, county and municipal offices of weights and measures for their regulatory activities, the effects of inflation will not diminish this office's consumer protection function. It is anticipated that \$1.9 million will be made available for improved enforcement. The fees concerning scales, fuel pump dispensers, and retail vehicles tank meters were capped.

Sections 14 through 31 increase a number of fees collected by the Division of Motor Vehicles (DMV) to bring them in line with the cost of providing DMV services; some of these fees have not been increased in 10 years or more.

Fees increased include those charged for driver's license photographs, certified copies and duplicates of registration documents and motorized bicycle registrations. Fees for driver record abstracts, the driver improvement program, courtesy and personalized license plates, certificates of ownership, and driver's school and instructor licenses are also increased.

A \$50 fee for the restoration of a driver's license suspended pursuant to laws other than those of Title 39 of the Revised Statutes, the motor vehicle code, and for restoration of a motor vehicle registration suspended under any law or regulation is established. Currently, this fee is charged only for the restoration of licenses suspended under Title 39.

A new \$5 fee for uncertified copies of license and registration documents is established. The bill also authorizes DMV to establish fees to defray the cost of restoring license plates or issuing new ones in place of those surrendered in accordance with a law. A new \$25 fee for checks returned to DMV as uncollectible is also established.

The DMV estimates that enactment of these fees will increase revenues by approximately \$60 million annually.

Sections 32 through 35 impose a \$35 fee on the registration of commercial vehicles with a gross weight of 10,000 pounds or more. The revenue from the additional fee would be used by the Department of Law and Public Safety to provide enhanced enforcement of laws governing commercial motor vehicles, except that the fees first collected would be allocated to the Division of Motor Vehicles for the bill's implementation costs. It is anticipated that the revenue generated from the additional fee will enable the department to dedicate 50 State Troopers to commercial vehicle enforcement programs. To ensure uniformity of enforcement, this bill also gives the director and State Police officers exclusive authority to conduct random roadside checks and establish fixed stations to ensure that commercial vehicles comply with the State's weight and measurement standards. The Department of Motor Vehicles estimates that \$3.4 million will be made available for improved enforcement.

FISCAL IMPACT:

The fees increased and imposed by this bill raise approximately \$75 million for the costs of improved enforcement and for the general fund.

COMMITTEE AMENDMENTS:

The committee amendments impose the fee on the registration of heavy commercial vehicles to be used by the Department of Law and Public Safety to provide enhanced enforcement of laws governing commercial motor vehicles; provide that the vehicles for the State Police are utilized solely for patrol and pursuit purposes; put a cap on portions of the weights and measures provisions; and make a technical correction pertaining to DMV license restoration.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1842

STATE OF NEW JERSEY

DATED: JUNE 23, 1994

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1842 (1R).

Assembly Bill No. 1842 (1R) establishes and increases various fees imposed by and on behalf of the State and specifies certain uses for these fees.

Section 1 requires the Commissioner of Human Services to establish a new access fee that an intermediary vendor under contract with the Division of Medical Assistance and Health Services' fiscal agent will be charged for direct access to the Medical Assistance Eligibility System (MEVS). This system will be developed by the intermediary vendors under the direction of the fiscal agent and marketed to the Medicaid and PAAD providers.

Sections 2 and 3 increase from \$20 to \$40 the annual report filing fee for domestic and foreign for-profit corporations and limited partnerships.

Sections 4 and 5 increase from \$12 to \$25 the fee for criminal history record checks through fingerprint identification conducted by the State Bureau of Identification and from \$8 to \$15 the fee for name search identification.

Sections 6 through 13 require commercial weighing and measuring devices to be registered with the State Superintendent of Weights and Measures and permit the State superintendent to establish licensing fees by regulation within certain limits set by the bill. The fees concerning scales, fuel pump dispensers, and retail vehicles tank meters are capped by the bill.

Sections 14 through 31 increase a number of fees collected by the Division of Motor Vehicles (DMV). Fees increased include those charged for driver's license photographs, certified copies and duplicates of registration documents and motorized bicycle registrations. Fees for driver record abstracts, the driver improvement program, courtesy and personalized license plates, certificates of ownership, and driver's school and instructor licenses are also increased.

New fees for restoration of certain suspended driver's licenses, uncertified copies of license and registration documents and for checks returned to DMV as uncollectible are also established.

Sections 32 through 35 impose a \$35 fee on the registration of commercial vehicles with a gross weight of 10,000 pounds or more.

FISCAL IMPACT

Based on information received from various sources within the executive branch, the Office of Legislative Services (OLS) estimates that for FY 1995 this bill would result in a revenue increase of approximately \$75 million for the costs of improved enforcement and for the general fund.

LEGISLATIVE FISCAL ESTIMATE TO

[FIRST REPRINT]
ASSEMBLY, No. 1842

STATE OF NEW JERSEY

DATED: July 6, 1994

Assembly Bill 1842 (1R) of 1994 establishes and increases various fees imposed by and on behalf of the State and specifies certain uses for these fees.

Section 1 requires the Commissioner of Human Services to establish a new access fee that an intermediary vendor under contract with the Division of Medical Assistance and Health Services' fiscal agent will be charged for direct access to the Medical Assistance Eligibility System (MEVS). This system will be developed by the intermediary vendors under the direction of the fiscal agent and marketed to the Medicaid and PAAD providers.

Sections 2 and 3 increase from \$20 to \$40 the annual report filing fee for domestic and foreign for-profit corporations and limited partnerships.

Sections 4 and 5 increase the fee for criminal history record checks through fingerprint identification conducted by the State Bureau of Identification from \$12 to \$25 and the fee for name search identification from \$8 to \$15.

Sections 6 through 13 require commercial weighing and measuring devices to be registered with the State Superintendent of Weights and Measures and permit the State superintendent to establish licensing fees by regulation within certain limits set by the bill. The fees concerning scales, fuel pump dispensers, and retail vehicles tank meters are capped by the bill.

Sections 14 through 31 increase a number of fees collected by the Division of Motor Vehicles (DMV). Fees increased include those charged for driver's license photographs, certified copies and duplicates of registration documents and motorized bicycle registrations. Fees for driver record abstracts, the driver improvement program, courtesy and personalized license plates, certificates of ownership, and driver's school and instructor licenses are also increased.

New fees for restoration of certain suspended driver's licenses, uncertified copies of license and registration documents and for checks returned to DMV as uncollectible are also established.

Sections 32 through 35 impose a \$35 fee on the registration of commercial vehicles with a gross weight of 10,000 pounds or more.

Based on information received from various sources within the executive branch, the Office of Legislative Services (OLS) estimates that for FY1995 this bill would result in a revenue increase of approximately \$75 million.

Specifically, sections 2 and 3 may generate approximately \$4 million in revenues in FY1995. The bill does not specify the use or distribution of these funds. However, the Governor's Budget Recommendation for FY1995 anticipates that \$2.9 million of this increase will be used for General Fund purposes and \$1.1 million

will be appropriated to the Department of State in the FY1995 appropriations act for continued upgrades of the Division of Commercial Recording's information system.

Sections 4 and 5 may generate approximately \$5 million in revenues in FY1995. The bill specifies that the fees are to be deposited into a special fund and, subject to appropriation in the annual appropriations act, used for the expenses of the State Bureau of Identification and, subject to certain approvals, for the purchase of new and replacement patrol vehicles for the State Police. According to the department, \$1 million of this revenue will be allocated for the expenses of the bureau and \$4 million for State Police vehicles.

Sections 6 through 13 may generate approximately \$2.6 million in revenues for the State's use in FY1995. The bill specifies that these new fees and fee increases are to be deposited into a special fund and, subject to appropriation by the annual appropriations act, used for the costs of regulating weighing and measuring devices. It should be noted total revenue may be greater than \$2.6 million; however, the bill requires reimbursements from the fund to be made to counties and municipalities with departments of weights and measures to defray all or part of their costs of operation. Information on the amount of these reimbursements is not available.

Sections 14 through 31 may generate approximately \$60 million in revenues in FY1995 for the General Fund, according to the Governor's Recommended Budget for FY1995.

Sections 32 through 35 may generate approximately \$3.4 million in revenues in FY1995. Subject to appropriation in the FY 1995 appropriations act, the revenue from the additional fee will be used by the Department of Law and Public Safety to provide enhanced enforcement of laws governing commercial motor vehicles, except that the fees first collected will be allocated to the Division of Motor Vehicles for their implementation costs.

Finally, the amount of revenue which will be generated by section 1 of the bill is not known at this time because the Medical Assistance Eligibility System is still in the design stage and not yet operational. The section states that the fee is to be used to reimburse the State's fiscal agent for the development and operational costs of the system and the remainder is to be appropriated annually to the Department of Human Services.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.